

JPA No.: 05-038I  
AG Contract No.: KR05-0695TRN  
**Amendment No. 1**  
Project No.: TEA-FLO-0(004)A  
Project: Butte Avenue-Ruggles Street  
Section: Main Street  
TRACS No.: SL532 03D/01C  
Budget Source Item No.: N/A

**AMENDMENT NO. 1  
TO  
INTERGOVERNMENTAL AGREEMENT**

**BETWEEN  
THE STATE OF ARIZONA  
AND  
THE TOWN OF FLORENCE**

**THIS AGREEMENT** is entered into this date August 23, 2007, Amendment No. 1 to JPA No. 05-038, A.G. Contract No.: KR05-0695TRN, filed with the Secretary of State under No. 27677, pursuant to the Arizona Revised Statutes § 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "State") and the TOWN OF FLORENCE, acting by and through its MAYOR and TOWN COUNCIL (the "Town"). The State and the Town are collectively referred to as "Parties".

**I. RECITALS**

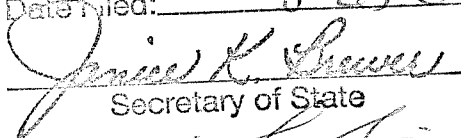

1. The State is empowered by Arizona Revised Statutes § 28-401 and to enter into this Agreement and has delegated to the undersigned the authority to execute this Agreement on behalf of the State.
2. The Town is empowered by Arizona Revised Statutes § 48-572 to enter into this Agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this Agreement and has authorized the undersigned to execute this Agreement on behalf of the Town.

**The purpose of this amendment is to increase project funding. THEREFORE**, in consideration of the mutual Agreements expressed herein, this Agreement is amended as follows:

**Article I., Paragraph 6 is deleted and amended in full as follows:**

6. The work embraced in this Agreement is for the design, construction and maintenance of pedestrian enhancements along both sides of Main Street between Butte Avenue and Ruggles Street. Enhancements will include, landscaping, street furniture, lighting, enhancement of pedestrian walkway, concrete work and increased signage.

<b>Total Estimated Design Costs (TRACS No.: SL532 03D)</b>	<b>\$101,015.00</b>
Estimated Federal Aid Funds @ 94.3%	\$ 95,257.00
Estimated Town Funds @ 5.7%	\$ 5,758.00
<b>Total Estimated Construction Costs (TRACS No.: SL532 01C)</b>	<b>\$427,485.00</b>
Estimated Federal Aid Funds @ 94.3%	\$403,118.00
Estimated Town Funds @ 5.7%	\$ 24,367.00
<b>*Total Estimated Cost of the Project</b>	<b>\$528,500.00</b>

NO. 27677  
Filed with the Secretary of State  
Date Filed: 8-23-07  
  
Secretary of State  
By: 

**EXCEPT AS AMENDED** herein, **ALL OTHER** terms and conditions of the original Agreement remain in full force and effect.

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**IN WITNESS WHEREOF**, the parties have executed this Amended Agreement the day and year first above written.

**TOWN OF FLORENCE**

By   
TOM RANKIN  
Mayor

**STATE OF ARIZONA**

Department of Transportation

By   
MICKIE FRANKLIN  
Joint Project Administrator

ATTEST:

By   
LISA GARCIA  
Clerk

G: 05-038-Florence-Main Street-Amend 1-Draft-10 April 2007-cc

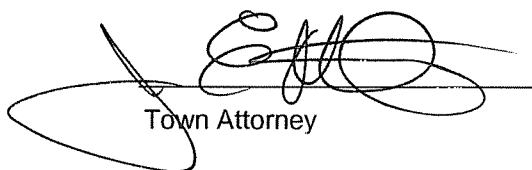
JPA 05-038

**ATTORNEY APPROVAL FORM FOR THE TOWN OF FLORENCE**

I have reviewed the above referenced Intergovernmental Agreement between the State of Arizona, acting by and through its DEPARTMENT OF TRANSPORTATION, and the TOWN OF FLORENCE, an Agreement among public agencies which, has been reviewed pursuant to A.R.S. § 11-951 through § 11-954 and declare this Agreement to be in proper form and within the powers and authority granted to the Town under the laws of the State of Arizona.

No opinion is expressed as to the authority of the State to enter into this Agreement.

DATED this 8 day of August, 2007.

  
Town Attorney

**TOWN OF FLORENCE  
RESOLUTION NO. 1071-07**

**A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF FLORENCE,  
ARIZONA, AUTHORIZING THE SUBMITTAL OF A TEA-21 GRANT APPLICATION  
WITH THE ARIZONA DEPARTMENT OF TRANSPORTATION**

**R E C I T A L S**

**WHEREAS**, this grant application is hereby approved for submittal as of the 17 day of July, 2007, to the ARIZONA DEPARTMENT OF TRANSPORTATION ("ADOT"), a recognized department of the state, by the Town of Florence, an Arizona municipal corporation, (the "TOWN"), through the Central Arizona Association of Governments (the "SPONSOR"); and

**WHEREAS**, ADOT is authorized to enter into such agreements pursuant to A.R.S. § 28-401, the SPONSOR is authorized pursuant to A.R.S. § 11-952 to enter into such agreements, and the TOWN is authorized to enter into such agreements pursuant to A.R.S. §48-572, (10), (B), (3); and

**WHEREAS**, ADOT has the authority to award certain Federal Highway Administration (FHWA) TEA-21 grant funds to municipalities through their respective Councils of Governments (COGS), for the purpose of local transportation enhancement improvements; and

**WHEREAS**, the TOWN now desires to apply to ADOT, through the Central Arizona Association of Governments (CAAG), for additional TEA-21 funding to support the completion of the approved capital improvements for the Florence Main Street Streetscape Project; and

**WHEREAS**, the TOWN agrees to provide a matching fund commitment of 5.7% and any overmatch required, that the project will be ready for advertisement within three years, to pay for all cost overruns (if any), and to reimburse ADOT/FHWA for all federal funds used, if the project is cancelled for cause by the SPONSOR; and

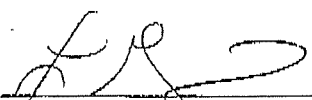
**WHEREAS**, it is necessary to authorize the application's submittal by formal resolution of the Mayor and Town Council and that this resolution shall hereby be made a part thereof and incorporated into the aforementioned application.

**NOW THEREFORE, BE IT RESOLVED THAT** the Town of Florence Town Council hereby authorizes the Mayor of the Town of Florence to execute this Resolution with ADOT with respect to the TOWN'S request for TEA-21 grant funding through FHWA.

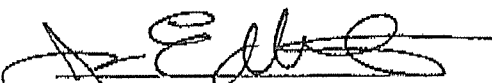
**PASSED AND ADOPTED** by the majority vote of the Town Council of the Town of Florence on this the 16 day of July, 2007.

  
Tom J. Rankin, Mayor

**ATTEST:**

  
Lisa Garcia, Town Clerk

**APPROVED AS TO FORM:**

  
James Mannato, Town Attorney

**ARIZONA TEA-21  
TRANSPORTATION ENHANCEMENT APPLICATION**

1. Please list the applicants applying for funding. All applications must be sponsored by a government agency. All projects which are 75% or more contained on the State Highway System right-of-way must have the ADOT District Engineers written support and ADOT is considered the sponsor.
2. List date application was completed.
3. List the project name or facility name. The project must be transportation related. If on a State Highway, list the route number and beginning milepost.
4. List mailing address of sponsoring agency.
5. List county where project is located. If there are additional counties, list starting county first.
6. List the Congressional District number. No name is required.
7. List contact person for project. This person must be from the sponsoring agency. The appropriate District will sponsor projects on the State system. (No exceptions).
8. List alternate contact person for the project. This person must be from the sponsoring agency.

**APPLICANT INFORMATION**

1. APPLICANT AND SPONSOR (Must be ADOT if on ADOT right of way) Town of Florence		MPO / COG Central Az Assoc. of Governments (CAAG)	2. DATE 7/16/2007
3. PROJECT NAME & LIMITS (IF ON STATE SYSTEM, PLEASE BEGIN NAME WITH ROUTE NUMBER) Main Street Streetscape Improvements (SR79B)			
4. MAILING ADDRESS P.O. Box 2670			
CITY Florence	ZIP CODE 85232	5. COUNTY Pinal	6. CONGRESSIONAL DISTRICT 1
7. CONTACT PERSON Ken Lawrence		TITLE Grants Coordinator	PHONE NO: (520) 868-7554 FAX NO: (520) 868-7501
8. ALTERNATE PERSON Himanshu Patel		TITLE Town Manager	PHONE NO: (520) 868-7558 FAX NO: (520) 868-7554

9. List the eligible transportation enhancement activity: Activity 5-Landscaping & Other Scenic Beautification

10. List the requested amount of federal funds needed for the project \$ 500,000

11. List the total cost of the project (federal plus other) \$ 530,125

**THE ELEVEN ELIGIBLE TRANSPORTATION ENHANCEMENT ACTIVITIES**

(The term 'Transportation Enhancement activities' means, with respect to any project or the area to be served by the project, any of the following activities if such activity relates to surface transportation)

- 1.) **PROVISION OF FACILITIES FOR PEDESTRIANS AND BICYCLES.**  
This does not include typical construction elements of a roadway such as; travel lanes, traffic signals, crosswalks, etc.
- 2.) **PROVISION OF SAFETY AND EDUCATIONAL ACTIVITIES FOR PEDESTRIANS AND BICYCLISTS**  
Activities must have a broad and preferably regional target audience.
- 3.) **ACQUISITION OF SCENIC EASEMENTS OR HISTORIC SITES - NOT ELIGIBLE IN ARIZONA**
- 4.) **SCENIC OR HISTORIC HIGHWAY PROGRAMS (INCLUDING THE PROVISION OF TOURIST AND WELCOME CENTER FACILITIES)**  
ADOT does have in place a Parkways, Historic, and Scenic Roads Program. This program does have a separate grant program for projects on those routes that have been designated by the State/ADOT. Must be on or within 2 miles of a State designated Scenic or Historic road.
- 5.) **LANDSCAPING AND OTHER SCENIC BEAUTIFICATION**  
This is for primarily plant landscaping activities. You can include site furniture such as benches, trash receptacles, etc. Stand-alone public art is not considered scenic beautification. You can include some art as part of a project but it is not eligible as a separate category under Transportation Enhancements. Public art has been included in the new Transit Enhancements funding program under the new TEA-21 legislation. Maintenance of landscaping does not qualify under this program.
- 6.) **HISTORIC PRESERVATION**  
Any work under this category must have a strong transportation link either past, present or future.
- 7.) **REHABILITATION OF HISTORIC TRANSPORTATION BUILDINGS, STRUCTURES, OR FACILITIES (INCLUDING HISTORIC RAILROAD FACILITIES AND BRIDGES)**
- 8.) **PRESERVATION OF ABANDONED RAILWAY CORRIDORS (INCLUDING THE CONVERSION AND USE THEREOF FOR PEDESTRIAN OR BICYCLE TRAILS)**
- 9.) **CONTROL AND REMOVAL OF OUTDOOR ADVERTISING**
- 10.) **ARCHEOLOGICAL PLANNING AND RESEARCH**
- 11.) **ENVIRONMENTAL MITIGATION TO ADDRESS WATER POLLUTION DUE TO HIGHWAY RUNOFF OR REDUCE VEHICLE-CAUSED WILDLIFE MORTALITY WHILE MAINTAINING HABITAT CONNECTIVITY**
- 12.) **ESTABLISHMENT OF TRANSPORTATION MUSEUMS**  
Please be aware that there are specific requirements for this category. Please contact your MPO, COG representative or ADOT TE Section staff for additional information.

NOTE: THESE ARE THE ONLY ITEMS ELIGIBLE FOR TRANSPORTATION ENHANCEMENT FUNDING. INCLUDING ELEMENTS NOT LISTED ABOVE MAY RESULT IN THE DISQUALIFICATION OF THE ENTIRE APPLICATION. OTHER ELEMENTS MAY BE INCORPORATED INTO THE PROJECT IF THEY ARE IDENTIFIED AS SEPARATE FUNDING IN THE COST ESTIMATE. IF ITEMS THAT ARE ELIGIBLE FOR OTHER FUNDING SOURCES ARE TO BE INCLUDED IN THIS PROJECT APPLICATION, THEN THOSE SOURCE FUNDS MUST BE IDENTIFIED AND USED FOR THOSE ITEMS. FINAL DETERMINATION OF QUALIFICATION WILL BE DEFINED IN THE PROJECT SCOPING PHASE.

12. **PROJECT CATEGORY** - Check all boxes that apply. Circle primary category in which you wish to be evaluated.

<input type="checkbox"/> 1. Provision of Facilities for Pedestrians and Bicycles. <input type="checkbox"/> 2. Provision of Safety and Educational Activities for Pedestrians and Bicyclists <input type="checkbox"/> 3. NOT ELIGIBLE IN ARIZONA <input type="checkbox"/> 4. Scenic Highway Programs Including the Provision of Tourist and Welcome Center Facilities <input checked="" type="checkbox"/> 5. Landscaping and Other Scenic Beautification <input type="checkbox"/> 6. Historic Preservation	<input type="checkbox"/> 7. Rehabilitation of Historic Transportation Buildings, Structures, or Facilities (including historic railroad facilities and bridges) <input type="checkbox"/> 8. Preservation of Abandoned Railway Corridors (including the conversion and use thereof for pedestrian or bicycle trails) <input type="checkbox"/> 9. Control and Removal of Outdoor Advertising <input type="checkbox"/> 10. Archeological Planning and Research. <input type="checkbox"/> 11. Environmental Mitigation to Address Water Pollution Due to Highway Runoff or Reduce Vehicle-caused Wildlife Mortality While Maintaining Habitat Connectivity <input type="checkbox"/> 12. Establishment of Transportation Museums
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**13. PROJECT GENERAL DESCRIPTION:** INCLUDE PROJECT CONCEPT, LENGTH, MILEPOSTS, NUMBER OF ACRES. LIST ALL KEY ELEMENTS OF THE PROJECT SCOPE. Please limit the description to 200 words or less.

#### A. INTRODUCTION

TRACS. No. 0000 PN FLO SL532 01C

Project No. TEA-FLO-0-(004)A

Project Name: Main Street Streetscape

Programmed mileposts: N/A

Project Route No. State Route 79B, (portion @ Butte and Main Street Intersection of ADOT only)

This project is located within the Town of Florence AZ; Pinal County; Tucson District

**Scope:** The purpose of this project is to provide additional funding for the current Main Street Streetscape Project so that all of the approved project elements can be completed including landscaping irrigation, paving stones, paving and pavers, ground cover, and miscellaneous site furniture for streetscape beautification. The Streetscape theme and beautification will be consistent with the existing historic architecture of Main Streets period structures. There are three (3) design concepts and alternative palettes recommended for the area. The Town of Florence will maintain in perpetuity all improvements provided with this enhancement project.

The Town previously received a grant from the Arizona Department of Transportation (ADOT) to renovate its downtown main street area including historical signage, sidewalk repairs, paving stones, sidewalk curb cuts for ADA access, crosswalk striping, landscaping, trees, park furniture, and historical lighting. However, because of the numerous required environmental studies, the project has been delayed 3 years and design and construction costs have risen dramatically thereby causing the project to become under funded. Without additional funding, the Town has no alternative but to reduce the scope of the project in terms of the number of blocks on Main Street to be improved as well as certain amenities being eliminated altogether from the project scope. The impact of these cuts dramatically affects the quality of the project.

ADOT will provide the funding for the construction of this project. The design work has been completed. The funding is a combination of TEA-21 and local (Town of Florence) funds. The original grant application estimated construction cost was at \$530,125.00 excluding the \$5,000.00 ADOT processing fee and design cost. The Town would contribute 5.7% (\$30,125) of the construction cost. After construction

is complete, the source of funds for maintenance and repair on an ongoing basis will be through the Town of Florence maintenance operating funds.

14. Describe the project. Please answer all questions using the format outlined below.

A) Where is the project located? The project is located in the downtown Main Street Commercial District of the Town of Florence with a portion of the project within existing ADOT right-of-way. The Main Street Streetscape project includes the segment of Main Street bounded on the North by Ruggles Street and the South by Butte Avenue. (See Appendix A)

B) Is the project on a planned, existing, or under construction transportation corridor? Yes. The Florence Main Street Streetscape Project includes the segment of Main Street bounded on the North by Ruggles Street which connects to SR79A and the South by Butte Avenue which connects to SR79A and SR287. There has been some discussion in the ongoing Small Area Transportation Planning process for Main Street to be extended to the north

If on a planned corridor under construction, what is the approximate or scheduled completion date for the corridor?

C) What major construction, design, and right-of-way work does the project entail? No new right-of-way or easements will be required for this project. There will be a relocation of streetlights to accommodate pedestrian lighting. No other utilities will be relocated. Several utilities lie within the project area including: sanitary sewer, water, natural gas, electric, telephone, and cable television. There are no railroad crossings.

The project consists of installing new landscape and entryway enhancements along this two-tenths (.2) mile section of Main Street within the Town of Florence (refer to plan sheets Exhibit G). The project extends along Main Street from Butte Avenue to Ruggles Street.

The entire route is within Florence's Downtown Redevelopment Area. A more aesthetically pleasing streetscape will be created along Main Street by: 1) pedestrian enhancements in the form of better defined crosswalks and intersections utilizing rough textured stamped concrete, 2) landscape enhancements using trees, shrubs, accent plantings, and decomposed granite, 3) pedestrian amenities such as benches, kiosks, and trash receptacles. The street has commercial development along the majority of the project with some existing landscaping and numerous commercial signs and miscellaneous structures in the foreground. This project will also help to unify and create a more cohesive streetscape theme through the town.

Describe any need for major land modification, retaining walls, etc. and include in cost estimate. ADA compliant curb cuts will be installed at each intersection

D) Can the project be constructed entirely within the project right-of-way (ROW)? 99%.

Who owns the proposed project ROW? Town of Florence

Are there any private landowners involved? No If so please list.

What percent of the project area is on ADOT ROW? 1% (The Town of Florence has control of the right-of-way with the exception of the last 10 feet immediately adjacent to the southern boundary of the project which is ADOT right-of-way along the northerly portion of the Butte Ave. intersection.

E) Are there drainage issues to consider? Yes. Main Street currently floods and turns into a small north flowing river during heavy storms. Describe any potential impacts to



Waters of the U.S. This project would greatly improve the current drainage problem on Main Street by redirecting the flow of more runoff water into existing storm drains.

F) Are utility relocations necessary? No.

G) What is the proposed time frame for completion of the project? Project to be completed by September, 2009.

H) Will the project be ADA accessible? Yes.

PLEASE LIMIT RESPONSES TO THE FOLLOWING QUESTIONS TO 200 WORDS OR LESS

**15. How will the project be maintained?** All projects will require a signed Joint Project Agreement (JPA) prior to project construction. The following information is required for completing the JPA. Please answer all questions listed by describing how the project will be maintained and repaired after completion.

A) Organization(s) responsible for on-going maintenance and repairs of the TE project.  
Town of Florence

B) Proposed on-going maintenance and repair program O&M Program provided by Parks Department (See Appendix B)

C) Source of funds for on-going maintenance and repairs General Fund

**16. If you are a local government, do you anticipate requesting self bid and administration based on the FHWA guidelines? (See TE Handbook, revised 2006, for clarification).** Yes.

**17. Is the proposed project listed on or does it meet criteria for any local, state, or federal, historic or scenic designations?** If so, please identify the specific designation(s) and limits and briefly describe why the proposed project qualifies. If this is a rail corridor project is the corridor "rail banked" or is the abandonment authorized by or proceeding before the Interstate Rail Commission?

These buildings, constructed between the 1860s and the 1920s, makes the Town the fifth oldest in the state. Due to the age of these structures, the downtown area has been designated as a National Register Historical District and has gained a national reputation for its unique historic quality and diversity.

**18. Describe how the community was or will be involved in this project.** Please include the following: Community involvement in the planning, scoping process, design process, or implementation. Is the project listed in any planning documents that had extensive public participation?

A significant public involvement program was conducted to gain input on the evolution of the streetscape planning process as it proceeded. A variety of techniques were used to allow input, increase awareness, gain consent and educate the public on the benefits of an aesthetically pleasing and environmental sustainable streetscape design for Main Street. A summary of the techniques included:

**Town Staff Meetings:** Meetings were held with Town staff at approximately monthly intervals.

**Technical Advisory Group Meetings:** Meetings were held at three key points in the planning process.

**Open Houses:** A total of two open houses were conducted at sites within the Study Areas in January and February 2000.

**Public Hearing:** A total of three public meetings were held (following the open houses) in January and February 2000.

**Public Notices:** Public Notices are articles were published in the Florence Reminder and Blade-Tribune well in advance of open houses and public meetings.

**Flyers:** A flyer was prepared and distributed throughout the downtown to enhance open house/public meeting visibility.


The Main Street Streetscape Master Plan was a result of a recommended action identified in the Florence Downtown Redevelopment Plan which was adopted unanimously by the Florence Town Council on September 21, 1998. The Florence Downtown Redevelopment Plan identified the presence of significant structural deterioration of the existing buildings. Subsequent to that time the Town applied for and received a Federal Community Block Grant (CDBG) administered through the Arizona Department of Commerce and the U.S. Department of Housing and Urban Development (HUD). The intent of the grant was to implement the recommendation to prepare a master plan for the Main Street Streetscape within the boundaries of the redevelopment area which was completed and performs as the basis for the Main Street Streetscape Project. The master planning process for the preparation of the Main Street Streetscape Master Plan was conducted over an approximate nine-month timeframe from October 1999 to June 2000.

19. Describe why the project is an enhancement and how it relates to the transportation infrastructure of the community, region and/or state. Describe how this project will benefit the community and improve existing conditions. Why should this project be funded? (Answer all three parts in detail).

1) This project is an enhancement as it relates to the transportation infrastructure of the community since Main Street has served as the main corridor and hub of all commerce in Florence since its founding.

2) Since downtown (Main Street) is the central employment node and commercial district for the Town, it is imperative to improve the streetscape environment to make it attractive, economically viable and socializing area for the community. As indicated, pedestrian traffic will be enhanced by the enhancements made to the streetscape while maximizing slow moving vehicular traffic (currently 15 mph) which will allow "rubber necking" of the exterior facades of buildings and streetscape, to promote visitation. Failure to save this corridor would cause major economic distress for the community.

3) The main concept of this project is to enhance the downtown area making it inviting to both pedestrians and other modes of transportation as well. The overhanging trees, plants, and street furniture will encourage people to get out of their cars and walk down Main Street enjoying their surroundings and shopping in the various retail stores. Walking on Main Street will return citizens to the atmosphere of yesterday where you knew your shop owners by name and visited with your neighbor's downtown. Main Street is the main route through the Florence Historic District and the enhancement of this area will invite multi modal transportation to utilize this route and gain an increased appreciation of this area. This type of atmosphere is one that is not easily obtained or to retain. However, given its importance to Arizona's history, it is well worth the effort.

<p>TERRY GODDARD Attorney General</p>	<p> <b>OFFICE OF THE ATTORNEY GENERAL</b> STATE OF ARIZONA</p>	<p>CIVIL DIVISION TRANSPORTATION SECTION Writer's Direct Line: 602.542.8855 Facsimile: 602.542.3646 E-mail: Susan.Davis@azag.gov</p>
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**INTERGOVERNMENTAL AGREEMENT**  
**DETERMINATION**

A.G. Contract No. KR05-0695TRN (**JPA 05-038-I, Amendment No. 1**), an Agreement between public agencies, i.e., The State of Arizona and The Town of Florence, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the Undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining Parties, other than the State or its agencies, to enter into said Agreement.

DATED: August 17, 2007

TERRY GODDARD  
Attorney General

  
SUSAN E. DAVIS  
Assistant Attorney General  
Transportation Section

SED:mjf:45692  
Attachment